

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
OCALA DIVISION

BILL PAUL MARQUARDT,

Petitioner,

v.

Case No: 5:16-cv-590-JLB-PRL

SECRETARY, FLORIDA DEPARTMENT
OF CORRECTIONS and FLORIDA
ATTORNEY GENERAL,

Respondents.

ORDER


Before the Court is Petitioner's Renewed Motion to Stay Proceedings. (Doc. 96.) On December 14, 2020, the Court stayed this matter pending the final resolution of Petitioner's on-going state court post-conviction proceedings. (Doc. 91.) Petitioner "is presently legally incompetent" and the state circuit court has scheduled a competency evaluation that has yet to occur. (Doc. 96 at ¶¶ 7–8 & at 3 n.1.) The Court thus finds, and the State agrees (Doc. 97), that a further stay of this case is appropriate and does not frustrate the AEDPA's purpose. Rhines v. Weber, 544 U.S. 269, 276 (2005).

Accordingly, it is **ORDERED**:

1. Petitioner's Renewed Motion to Stay Proceedings (Doc. 96) is **GRANTED**. Unless otherwise ordered, this case is **STAYED** pending the final resolution of the pending state court post-conviction proceedings.

2. **On or before October 1, 2021**, and every ninety (90) days thereafter, Petitioner (through counsel) is **DIRECTED** to file a status report regarding the state court proceedings.

ORDERED at Fort Myers, Florida, on July 1, 2021.



JOHN L. BADALAMENTI
UNITED STATES DISTRICT JUDGE